

REMARKS

Claims 1-8 were examined and reported in the Office Action. Claims 7-8 are canceled. Claims 1-6 are amended. Claims 1-6 remain. Applicant requests reconsideration of the application in view of the following remarks.

I. In the Drawings

It is asserted in the Office Action that the drawings are objected to for not showing every feature specified in the claims. Applicant submits amended figure 2 and also amend paragraph [0030] to overcome the drawings objection. Approval is respectfully requested.

II. Claim Objections

It is asserted in the Office Action that claim 1 is objected to for informalities. Applicant has amended claim 1 as suggested in the Office Action.

Accordingly, withdrawal of the informal objection for claim 1 is respectfully requested.

III. 35 U.S.C. § 103(a)

A. It is asserted in the Office Action that claims 1 and 5 are rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 6,398,037 issued to Sadan et al. ("Sadan"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

According to MPEP §2142

[t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, ___, 82 USPQ2d 1385, 1396 (2007) noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit. The Federal Circuit has stated that 'rejections on obviousness cannot be sustained with mere conclusory statements; instead there must be some articulated

reasoning with some rational underpinning to support the legal conclusion of obviousness.’ *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1336 (Fed. Cir. 2006). See also *KSR*, 550 U.S. at ___, 82 USPQ2d at 1396 (quoting Federal Circuit statement with approval).

Further, according to MPEP §2143, “[T]he Supreme Court in *KSR International Co. v. Teleflex, Inc.* 550 U.S. ___, ___, 82 USPQ2d 1395-1397 (2007) identified a number of rationales to support a conclusion of obviousness which are consistent with the proper “functional approach” to the determination of obviousness as laid down in *Graham*.” And, according to MPEP §2143.01, [o]bviusness can be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so. *In re Kahn*, 441 F.3d 977, 988, 78 USPQ2d 1329, 1335 (Fed. Cir. 2006). Further, “[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art.” *KSR International Co. v. Teleflex, Inc.* 550 U.S. ___, ___, 82 USPQ2d 1385, 1396 (2007). Additionally, according to MPEP §2143

[a] statement that modification of the prior art to meet the claimed invention would have been “well within the ordinary skill of the art at the time the claimed invention was made” because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish *prima facie* case of obviousness without some objective reason to combine the teachings of the references. *Ex parte Levengood*, 28 USPQ2d 1300 (Pat. App. & Inter. 1993).

It is asserted in the Office Action that Sadan discloses a female screw-threaded split ring and cites reference part 82. Applicant respectfully disagrees. Applicant notes that the assignee of the present application is the same as Sadan, and Applicant illustrates Sadan in Figure 1. Applicant notes that ring 82 of Sadan is a complete and whole ring, not a split-ring as claimed (see Applicant’s Figure 3, reference no. 202). Applicant further notes that a split-ring operates completely different from a ring that is not split.

Further, Sadan does not teach, disclose or suggest Applicant's claim 1 limitations of the mounting of the core member (124) comprises a female screw-threaded split ring (202) matching the male screw-thread; and a circular convergent cone shaped trough (200b) encompassing the split ring and fixedly mounted to the housing, the arrangement being such that upon threading together, the split-ring is attracted towards the abutment ring (138) and thus becomes self-tightened against the cone-shaped wall of the trough.

Moreover, the assertions made in the Office Action on page 5 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP 2143 cannot be found. And, since Sadan does not teach, disclose or suggest all the limitations of Applicant's amended claim 1, as listed above, Applicant's amended claim 1 is not obvious over Sadan in view of no other prior art since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claim that directly depends from amended claim 1, namely claim 5, would also not be obvious over Sadan in view of no other prior art for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection for claims 1 and 5 is respectfully requested.

B. It is asserted in the Office Action that claims 2-4 is rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over Sadan, and further in view of U. S. Patent 3,515,415 issued to Clark ("Clark"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

Applicant's claims 2-4 either directly or indirectly depend on amended claim 1. Applicant has addressed Sadan regarding claim 1 above in section III(A).

Clark discloses a resilient nut with an inner circumferential flange. Even if Clark is combined with Sadan, however, the resulting invention would still not teach, disclose or suggest Applicant's claim 1 limitations of

the mounting of the core member (124) comprises a female screw-threaded split ring (202) matching the male screw-thread; and a

circular convergent cone shaped trough (200b) encompassing the split ring and fixedly mounted to the housing, the arrangement being such that upon threading together, the split-ring is attracted towards the abutment ring (138) and thus becomes self-tightened against the cone-shaped wall of the trough.

Further, the assertions made in the Office Action on pages 6-7 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP 2143 cannot be found. And, since neither Sadan, Clark, and therefore, nor the combination of the two, teach, disclose or suggest all the limitations of Applicant's amended claim 1, as listed above, Applicant's amended claim 1 is not obvious over Sadan in view of Clark since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claims that either directly or indirectly depend from amended claim 1, namely claims 2-4, would also not be obvious over Sadan in view of Clark for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection for claims 2-4 is respectfully requested.

C. It is asserted in the Office Action that claim 6 is rejected in the Office Action under 35 U.S.C. § 103(a), as being unpatentable over Sadan in view of Clark, and further in view of Erik Orberg et al., "26th Edition Machinery's Handbook," pub. Industrial Press Inc., New York, 2000, of particular relevance is the example shown, starting on page 300) ("Orberg"). Applicant respectfully traverses the aforementioned rejection for the following reasons.

Applicant's claim 6 indirectly depends on amended claim 1. Applicant has addressed Sadan regarding claim 1 above in section III(A).

Orberg is cited for teaching that it was known that the number and size of spring coils compress to a given length. Even if Orberg is combined with Sadan and Clark, however, the resulting invention would still not teach, disclose or suggest Applicant's claim 1 limitations of

the mounting of the core member (124) comprises a female screw-threaded split ring (202) matching the male screw-thread; and a circular convergent cone shaped trough (200b) encompassing the split ring and fixedly mounted to the housing, the arrangement

being such that upon threading together, the split-ring is attracted towards the abutment ring (138) and thus becomes self-tightened against the cone-shaped wall of the trough.

Further, the assertions made in the Office Action on page 8 that lead to a conclusion of obviousness are not explicit and the basic requirements of an articulated rationale under MPEP 2143 cannot be found. And, since neither Sadan, Clark, Orberg, and therefore, nor the combination of the three, teach, disclose or suggest all the limitations of Applicant's amended claim 1, as listed above, Applicant's amended claim 1 is not obvious over Sadan in view of Clark, and further in view of Orberg since a *prima facie* case of obviousness has not been met under MPEP §2142. Additionally, the claim that indirectly depends from amended claim 1, namely claim 6, would also not be obvious over Sadan in view of Clark, and further in view of Orberg for the same reason.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection for claim 6 is respectfully requested.

D. It is asserted in the Office Action that claims 7 and 8 are rejected in the Office Action under 35 U.S.C. § 103(a). Applicant has canceled claims 7 and 8. Therefore, the 35 U.S.C. § 103(a) rejection of claims 7 and 8 is moot.

Accordingly, withdrawal of the 35 U.S.C. § 103(a) rejection for claims 7 and 8 is respectfully requested.

CONCLUSION

In view of the foregoing, it is submitted that claims 1-6 patentably define the subject invention over the cited references of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes a telephone conference would be useful in moving the case forward, he is encouraged to contact the undersigned at (310) 207-3800.

If necessary, the Commissioner is hereby authorized in this, concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2666 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly, extension of time fees.

Respectfully submitted,

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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being submitted electronically via EFS Web on the date shown below to the United States Patent and Trademark Office.


Jean Svoboda

Date: December 21, 2007

